

RECLAMATION DISTRICT 1002

JEFF McCORMACK, TRUSTEE
c/o JOHN McCORMACK CO.
2250 TWIN CITIES RD.
WALNUT GROVE, CA 95690
(916) 776-1837 (OFFICE)
(916) 776-1343 (CELL)

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Mr. Dustin Jones, Supervising Engineer
Delta Stewardship Council
980 9th St.
Sacramento, CA 95814

Dear Mr. Jones,

Enclosed are comments from Reclamation District 1002 on the Draft Delta Levee Investment Strategy. RD 1002 covers 6,500 acres on the south border of Sacramento County near I-5, between the Sacramento River, Cosumnes/Lost Slough, and Mokelumne River. There are 28 residences with approximately 130 inhabitants, whose lives have been at-risk from recent levee-break flashflood warnings. These policies could exacerbate those risks.

RD 1002 Should Be Re-designated to Very High Priority.

Protecting RD 1002 is in The National Interest.

The last time that Lost Slough levee was partially breached Interstate 5 was under water, and interstate traffic had to be re-routed nationwide. In 1986 buildings near Lost Slough were under 12-15 feet of water. Recent forecasts were to go to 20. This spring snowmelt could be worse. That could close I-5 for far longer.

Protecting RD 1002 is in the State's Interest.

I-5 connects to the Sacramento River Road via Twin Cities Rd. The last time that Lost Slough levee broke Twin Cities Rd. was closed longer than I-5. Since 1986 Twin Cities has become a major connector between the Bay Area and Sacramento and Stockton. Traffic has gotten much more intense, indicating its importance to the North part of the state.

The high speed and growth of traffic on Twin Cities Rd., coupled with lack of shoulders for emergency pulloffs makes any flooding on these roads a threat to the lives of more drivers every year. Both Twin Cities Rd. and Lambert Rd. have been underwater this year. The State needs to protect its interest in lives of both residents and travelers, including commuters between the Bay Area, Delta, and Sacramento.

RD 1002 gets floodwaters from 4 sides.

Snodgrass Slough to the West, Elk Grove's runoff from the North, leakage through the railroad levee to our East, and Cosumnes & Mokelumne into Lost Slough all affect our district.

McCormack Williamson Tract would deflect and intensify flows into our levees.

Making the next tract south Very High Priority would fund that tract deflecting flows from a hardened and higher tract into ours. That would potentially cause overtopping of Lost Slough here. Our engineer recommends smoothing the slightly eroded East levee of McCormack Williamson, and the Westerly cut smoothed out and open, to help lower Snodgrass Slough faster. Hardening and raising RD 1002's Lost Slough levee should be a Very High Priority.

Cost sharing changes could bankrupt districts.

Your plan to cut the State share by 25% and raise farmers' share by 100% would lead to increased costs to farmers, for potential longterm decline due to inability to maintain and upgrade levees. It has the appearance of unfairness, in its potential for achieving marsh restoration at the expense of farmers, by lowering acquisition cost.

More beneficiaries should be made to pay for maintenance & upgrade.

Upstream entities dumping increasing runoff from impervious surfaces like high-density subdivisions, mall parking lots, and roads, create heavier hydraulic pressures on levees.

For example, Elk Grove, South Sacramento and Freeport drain into Morrison Creek and Snodgrass Slough. Big developments planned for south of Highway 50 near Folsom, and El Dorado County developments will add runoff to the Cosumnes. Amador and other counties will add to the Mokelumme.

The Cosumnes flooded 3 times this year already, and we are not yet to flood season. It nearly overtopped our Lost Slough levee.

We were under flashflood alerts from NOAA and the Sheriff, warning us to be ready to evacuate within minutes of further alert from Snodgrass Slough leaks.

The New Hope Tract a mile or so away did suffer a breach, and flooded hundreds of acres. 2,000 people evacuated upstream on the Cosumnes. Helicopters, 3 TV antenna vans, heavy equipment convoys, pump and pipe deliveries here attested to the fact that this was a Very High Priority district to the public.

Recent drought and fires denuding watersheds on state and federal lands are likely already aggravating runoff pressures on levees, so those agencies should be contributing to effective dispersal of flows.

Downstream beneficiaries should pay too.

Water contractors benefit by our levees channelizing water delivery to their outtake points. If these levees were not here there would not be efficient delivery of flows.

CalTrans should pay a higher share as users of the highway are beneficiaries of levees being protected by RD 1002 and other districts.

Funding for Modernized Annual Levee Inspections should be shared by others.

The last few years of Delta Levee studies were a chance to interview local managers of RDs for leaks and weak spots, and to deploy geophysical scanning & imaging teams to assess weak spots and reinforce there. Ground-truthing with direct field observations the dynamics of a system under stress needs to be done.

FUTURE UPGRADE COSTS

Using the specter of climate change & sea-level rise to justify supposed threat & need to protect refuge lands, and then to reduce funds for agricultural lands, increases costs to upgrade to meet public uses of the levees.

Yet the DSC also wants to add recreational access to the same properties. E.g. Lost Slough Water Trail campsites, Snodgrass Slough Railroad Levee bike trail, as part of Delta Loop Bike Trail, etc.

Recreational users should pay for access maintenance and upgrades too. Sacramento County plans to penetrate south with bike trails that interfere with economic uses by which families make their livelihood, for urbanites' mere recreational pleasure.

We already have problems with people penetrating perimeters, checking locks, illegal activities, and arson. We have had to pay farm service companies in the past to patrol levees. We had to post all-night and all-day patrol teams to watch for potential levee breaks. New user groups who benefit from these protective costs should pay their fair share as beneficiaries too.

Boaters want more privacy for private acts and cross over into our orchards & vineyards, leaving us potentially liable for violations of phyto-sanitation regulations. Building parks and outhouses inducing more traffic will inevitably increase exploratory roaming down along the levees, hiking, etc. Fencing costs and trash removal costs, including collection of trash blown into private lands subject to phyto-sanitary regs should be included in agency budgets.

COMPENSATION FUND:

Agencies whose constituents would create land use conflicts, like bikers, boaters and hikers concerned with pesticide spraying, should bear the cost burdens of potential

closures in a compensation fund to farmers from crop damage due to missing crucial timing windows for pest control for crop yields.

Compensation funds should also be established so that farmers do not have to stop their activities to deal with litigation.

VALUATION METHODOLOGY

Budgets were calculated without regard to land value. They set land value at "zero." (DSC Chair, Randy Fiorini, verbal statement at Table Two, Draft Review Meeting.) The draft proposes to just pay for buildings, equipment & crops, not land. (Verbal statement, DSC staff or consultant Charles Gardiner, Ibid.)

Standard appraisal methodology recognizes underlying demand for land by market forces and productive capacity of soils of varying quality, for whatever land use.

Valuation methods should include fair market land appraisals, to protect against potential unfair takings of property under the due process clauses of the US and California Constitutions.

CONCLUSION

RD 1002 should be designated "Very High Priority" for protection of national and state interests. Hardening of the adjacent tract will accelerate erosion of RD 1002 levees.

Planned intensification of land uses by state and national users justifies higher priority ranking.

The funding ratio burden on Agriculture should be reduced by adding contributions from other beneficiaries, such as upstream contributors, downstream water contractors, on-site publics, and agencies.

A compensation fund for farmers affected by restrictions due to land use conflicts from new levee users should be created.

Valuation methodologies for appraisals must add fair market value for land.

Signed,

Robert Abercrombie, Trustee

Jeff McCormack, Trustee

Chuck Harrison, Trustee

